

**REPORT OF THE AUDIT OF THE  
OLDHAM COUNTY  
CLERK**

**For The Year Ended  
December 31, 2003**



**CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS  
[www.auditor.ky.gov](http://www.auditor.ky.gov)**

**105 SEA HERO ROAD, SUITE 2  
FRANKFORT, KY 40601-5404  
TELEPHONE (502) 573-0050  
FACSIMILE (502) 573-0067**





**CRIT LUALLEN**  
**AUDITOR OF PUBLIC ACCOUNTS**

To the People of Kentucky

Honorable Ernie Fletcher, Governor

Robbie Rudolph, Secretary

Finance and Administration Cabinet

Honorable Mary Ellen Kinser, Oldham County Judge/Executive

Honorable Ann B. Brown, Oldham County Clerk

Members of the Oldham County Fiscal Court

The enclosed report prepared by Carpenter, Mountjoy & Bressler, PSC, Certified Public Accountants, presents the statement of revenues, expenditures, and excess fees of the County Clerk of Oldham County, Kentucky, for the year ended December 31, 2003.

We engaged Carpenter, Mountjoy & Bressler, PSC to perform the audit of this statement. We worked closely with the firm during our report review process; Carpenter, Mountjoy & Bressler, PSC evaluated the Oldham County Clerk's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

A handwritten signature in cursive script, reading "Crit Luallen".

Crit Luallen  
Auditor of Public Accounts

Enclosure





**REPORT OF THE AUDIT OF THE  
OLDHAM COUNTY  
CLERK**

**For The Year Ended  
December 31, 2003**



## **EXECUTIVE SUMMARY**

### **AUDIT EXAMINATION OF THE OLDHAM COUNTY CLERK**

**For The Year Ended  
December 31, 2003**

Carpenter, Mountjoy & Bressler, PSC has completed the Oldham County Clerk's audit for the year ended December 31, 2003. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting described in Note 1.

#### **Financial Condition:**

Excess fees increased by \$31,955 from the prior year, resulting in excess fees of \$262,710 as of December 31, 2003. Revenues increased by \$829,698 from the prior year and expenditures increased by \$811,516.

#### **Debt Obligations:**

Capital lease principal agreements totaled \$280,884 as of December 31, 2003. Future principal payments of \$240,871 are needed to meet these obligations.

#### **Deposits:**

The Clerk's deposits were insured and collateralized by bank securities or bonds.





## CONTENTS

PAGE

INDEPENDENT AUDITOR'S REPORT.....	1
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS .....	3
NOTES TO FINANCIAL STATEMENT .....	6
REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS .....	9



The Honorable Mary Ellen Kinser, Oldham County Judge/Executive  
Honorable Ann B. Brown, Oldham County Clerk  
Members of the Oldham County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Oldham County, Kentucky, for the year ended December 31, 2003. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the year ended December 31, 2003, in conformity with the regulatory basis of accounting.

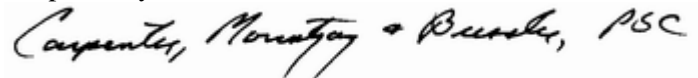
The schedule of excess of liabilities over assets is presented for purposes of additional analysis and is not a required part of the financial statement. Such information has been subjected to auditing procedures applied in the audit of the financial statement and, in our opinion, is fairly stated in all material respects in relation to the financial statement taken as a whole.

The Honorable Mary Ellen Kinser, Oldham County Judge/Executive  
Honorable Ann B. Brown, Oldham County Clerk  
Members of the Oldham County Fiscal Court

In accordance with Government Auditing Standards, we have also issued our report dated October 15, 2004, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Oldham County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carpenter, Mountjoy & Bressler, PSC". The signature is written in dark ink and is positioned above the printed name of the firm.

Carpenter, Mountjoy & Bressler, PSC

Audit fieldwork completed -  
October 15, 2004

OLDHAM COUNTY  
ANN B. BROWN, COUNTY CLERK  
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2003

Revenues

State Grants		\$	3,040
State Fees For Services			19,743
Fiscal Court			7,785
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	1,174,694	
Usage Tax		7,072,896	
Tangible Personal Property Tax		4,707,207	
Licenses-			
Marriage		8,172	
Miscellaneous License Refunds		1,441	
Deed Transfer Tax		452,877	
Delinquent Tax		636,628	14,053,915
Fees Collected for Services:			
Recordings-			
Deeds and Powers of Attorney	\$	46,152	
Real Estate Mortgages		297,886	
Chattel Mortgages and Financing Statements		114,601	
Miscellaneous Recordings		36,063	
Fixture Filing		830	
Leases		38	
Liens		7,745	
Releases		107,932	
Wills, Estate Settlements, Accomodations		792	
Charges for Other Services-			
Candidate Filing Fees		6,430	
Lien Release Fees		11,312	
Copywork		26,584	656,365
Other:			
Miscellaneous Income	\$	5,624	
Refunds/Overpayments		45,048	50,672
Interest Earned			3,823
Total Revenues		\$	14,795,343

The accompanying notes are an integral part of this financial statement.

OLDHAM COUNTY  
 ANN B. BROWN, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2003  
 (Continued)

Expenditures

State Grant Expenditures	\$	3,040	
Payments to State:			
Motor Vehicle-			
Licenses and Transfers	\$	919,136	
Usage Tax		6,860,351	
Usage Tax Makeup		373	
Tangible Personal Property Tax		1,641,228	
Licenses, Taxes, and Fees-			
Delinquent Tax		70,066	
Legal Process Tax		57,610	9,548,764
Payments to Fiscal Court:			
Tangible Personal Property Tax	\$	405,037	
Delinquent Tax		56,993	
Deed Transfer Tax		430,233	892,263
Payments to Other Districts:			
Tangible Personal Property Tax	\$	2,472,588	
Delinquent Tax		361,525	2,834,113
Payments to Sheriff			6,787
Payments to County Attorney			95,217
Operating Expenditures and Capital Outlay:			
Personnel Services-			
Deputies' Salaries	\$	551,710	
Employee Benefits-			
Employer's Share Social Security		45,347	
Employer's Share Retirement		38,890	
Employer's Paid Health Insurance		62,822	
Contracted Services-			
Printing and Binding		146,403	
Office Equipment and Maintenance Agreements		7,141	
Materials and Supplies-			
Office Supplies		66,602	

The accompanying notes are an integral part of this financial statement.

OLDHAM COUNTY  
 ANN B. BROWN, COUNTY CLERK  
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS  
 For The Year Ended December 31, 2003  
 (Continued)

Expenditures (Continued)

Operating Expenditures and Capital Outlay: (Continued)

Other Charges-			
Refunds	\$	41,166	
Insurance & Bonds		986	
Dues		4,117	
Postage		22,835	
Bank Service Charges			
Training		149	
Miscellaneous		28,007	
Miscellaneous Bank Transactions		4,700	
Capital Outlay-			
Office Equipment		47,524	\$ 1,068,399
Total Expenditures			<u>\$ 14,448,583</u>
Net Revenues			\$ 346,760
Less: Statutory Maximum			<u>77,414</u>
Excess Fees			\$ 269,346
Less: Expense Allowance	\$	3,600	
Training Incentive Benefit		<u>3,036</u>	<u>6,636</u>
Excess Fees Due County for 2003			\$ 262,710
Payments to Fiscal Court			<u>262,710</u>
Balance Due Fiscal Court at Completion of Audit			<u><u>\$ 0</u></u>

The accompanying notes are an integral part of this financial statement.

OLDHAM COUNTY  
NOTES TO FINANCIAL STATEMENT

December 31, 2003

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

Kentucky Revised Statute (KRS) 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31, that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2003 services
- Reimbursements for 2003 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2003

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).



OLDHAM COUNTY  
NOTES TO FINANCIAL STATEMENT  
December 31, 2003  
(Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees.

Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.34 percent for the first six months and 7.34 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2003, the County Clerk's deposits were fully collateralized at a 100% level with collateral of pledged securities held by the County Clerk's agent in the County Clerk's name.

Note 4. Grant

In calendar year 2002, the County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$3,040. Funds totaling \$3,040 were expended during the current year. There remains no unexpended grant balance as of December 31, 2003.

OLDHAM COUNTY  
NOTES TO FINANCIAL STATEMENT  
December 31, 2003  
(Continued)

Note 5. Leases

The Clerk's office was committed to the following lease agreements with Software Management, Inc. as of December 31, 2003:

Item Purchased	Monthly Payment	Term Of Agreement	Ending Date	Principal Balance December 31, 2003
Computer and Workstation Equipment and Software	\$ 2,607	5 years	03/14/08	\$ 143,385
Software	650	5 years	03/14/08	35,750
CCLIX Archives Project	2,374	3 years	03/31/06	61,736

REPORT ON COMPLIANCE  
AND ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT  
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



The Honorable Mary Ellen Kinser, Oldham County Judge/Executive  
Honorable Ann B. Brown, Oldham County Clerk  
Members of the Oldham County Fiscal Court

Report On Compliance And On Internal Control  
Over Financial Reporting Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Oldham County Clerk for the year ended December 31, 2003, and have issued our report thereon dated October 15, 2004. This was a special report on the County Clerk's financial statement prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Oldham County Clerk's financial statement for the year ended December 31, 2003, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.


Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Oldham County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Report On Compliance And On Internal Control  
Over Financial Reporting Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

A handwritten signature in black ink that reads "Carpenter, Mountjoy & Bressler, PSC". The signature is written in a cursive, flowing style.

Carpenter, Mountjoy & Bressler, PSC

Audit fieldwork completed -  
October 15, 2004

